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SENATORS QUERY OVERSEAS RULES

U.S. Civilian Aides Protest
'Over-Paternalism'

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WASHINGTON, Dec. 15 —

Senate investigators called for explanations today of "over-paternalistic" Government regulations covering the lives and activities of overseas civilian employees and their dependents.

Complaints had reached the Senate Subcommittee on Constitutional Rights that employees at a Philippines air base had been subjected to harassment, illegal confinement and physical brutality.

"Since these employees do represent their Government overseas," Senator Sam J. Ervin Jr., the North Carolinian who heads the panel, said, "it is often necessary that they be subjected to certain restrictions, but it is also important that these restrictions be reasonable."

"It is important that the regulations be applied fairly and impartially, and that enforcement should be consistent with the concept of due process which every citizen expects his Government to observe."

Senator Ervin noted that there were more than 156,000 employees serving overseas with 37 different departments and agencies of the Federal Government.

The subcommittee asked for reports from all of the agencies and departments.

Particular interest was shown in whether the various regula-

tions, when they differed, affected such matters as curfews, travel, communications with Congress, free speech, access to local or United States press, participation in local activities; marriage, drivers' licenses, passports, visas, exit and entry permits, P.X. (service stores) privileges, property ownership, business activities, credit, mail control, police protection, and standing in local courts.

No details were disclosed concerning the complaints received from Clark Air Force Base, in the Philippines, except that four civilian employees were involved. Three of them worked for a company under contract to the base.

The cases, it was said, also raised the question of the right of military law enforcement authorities to demand the identity of civilians overseas.

In reply to a previous informal inquiry, Senator Ervin said, the Air Force had decried the status of contract technical service personnel as "unusual," in that they differed from American tourists or commercial travelers. The contract workers are admitted to a foreign country under the bases agreement and are granted certain rights under it. In addition, the Senator said, they are accorded certain privileges by the military.

The Air Force also argued, Senator Ervin said, that misdeeds by civilian personnel could create diplomatic and community relations problems as easily as the misdeeds of members of the military could and that local citizens tended to hold the military responsible for them.

At the same time, Mr. Ervin noted, the Air Force admitted that contractor employees were not subject to the Uniform Code of Military Justice and were

entitled to be treated in this regard as any civilian citizen is treated.

The Air Force also contended, the Senator said, that its contract with a company gives it authority to apply military regulations to contractor personnel, and to have them removed from their assignments for violations of regulations or for activities held to affect the interests of the Government adversely.

On one occasion, Mr. Ervin stated, local military authorities at Clark Base promulgated regulations establishing off-limits areas and a curfew. He

said the Air Force defended the rules as "a codification of common sense," but conceded that whether their application to contractor personnel was "over-paternalistic" may be "open to question."